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Opinion

September 24, 1958

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CONCORD, N.H.

Honorable Harry E. Jackson
Secretary of State
State House
Concord, New Hampshire

Dear Mr. Jackson:

This refers to a letter addressed to you by Frank J. Sulloway, Esq., under date of September 22, 1958 upon the contents of which you have asked our opinion.

Mr. Sulloway in his letter advises that he has learned that application may be made for the use of the name "Seacoast" in connection with finance or investment corporations other than the one already filed with you as "Seacoast Finance Company" to which, he states, he has orally objected.

He then formally notifies you that he objects to any further registration involving the name "Seacoast" on the ground that it would be confusing with "Seaboard Finance Company".

In our judgment the mere fact that a corporate title proposed for registration contains the word "Seacoast" does not necessarily render it so similar to the name "Seaboard Finance Company" as to be liable to be mistaken for it within the meaning of RSA 294:3. Each name proposed must be considered separately, and the entire name taken into consideration in determining whether or not there exists the similarity sought to be avoided in the statute cited.

We suggest that you advise Mr. Sulloway of the foregoing.

Very truly yours,

Warren E. Waters
Deputy Attorney General